



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99-750-B)

In re Application of:

Gert Sarlet et al.

Serial No.: 10/722,277

Filed: November 25, 2003

For: Widely Wavelength Tunable Integrated
Semiconductor Device and Method for
Widely Wavelength Tuning
Semiconductor Devices

Art Unit: 2828

Examiner: Delma R. Flores Ruiz

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

The assignee and owner of 100 % interest in the instant application, Interuniversitair Microelektronica Centrum (IMEC vzw), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent 6,728,279. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issuing on the related patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the related patent application, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

A check in the amount of \$130.00 for the terminal disclaimer fee is attached herewith.

Please charge any deficiency, or credit any overpayment to Deposit Account no. 13-2490.

Respectfully Submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: Nov. 3, 2005

By:

Paul W. Churilla
Paul W. Churilla
Reg. No. 47,495

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

The undersigned hereby certifies that the foregoing TERMINAL DISCLAIMER is being deposited as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3 day of November 2005.

Paul W. Churilla
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